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Message Text

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ACTION AF-06

INFO OCT-01 ISO-00 SCS-03 SCA-01 L-03 H-02 DHA-02 NSC-05

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E.O. 11652: N/A
TAGS: CASC: HAMMATT AND ANTLES
SUBJ: REPORT RE GONDAR TRIAL IN CASE OF MURDERED GERMAN

REF: ADDIS 14378

1. CONSUL TALKED WITH NEHBERG WHO RETURNED TO ADDIS THIS WEEK. HE FOUND TRIAL DISAPPOINTING AS THERE WAS ONLY ONE DEFENDENT AND BOTH HE AND GERMAN EMB HAD UNDERSTOOD 10 OR MORE PEOPLE WERE BEING HELD. HOWEVER, DEFENDENT'S BROTHER, WHO ALSO IMPLICATED IN CRIME ESCAPED, AND POLICE ARE STILL LOOKING FOR HIM. NEHBERG WAS UNABLE TO IDENTIFY THE MAN AND WAS TOLD BY JUDGE THAT NEXT STEP WOULD BE TO QUESTION WITNESSES FROM DEFENDENT'S VILLAGE. IF NEHBERG HAD IDENTIFIED HIM, HE WAS TOLD THE MAN WOULD BE HANGED. NEHBERG ALSO TOLD THAT EVEN IF THERE IS INSUFFICIENT EVIDENCE FOR MURDER CONVICTION, MAN WOULD LIKELY GET 20 YEARS FOR THEFT AS HE WAS CAUGHT WITH STOLEN GOODS. NEHBERG SAID THAT WHEN GOODS WERE INTRODUCED AS EVIDENCE, THERE WAS A LEATHER HOLSTER AMONG THEM WHICH HE COULD NOT IDENTIFY. ALTHOUGH HE REALIZED THE HOLSTER COULD HVE COME FROM ANYWHERE, HE MENTIONED TO THE JUDGE THAT IT MIGHT BELONG TO THE MISSING AMERICANS. (NOTE: AS REPORTED EARLIER, H&A HAD NO WEAPONS TO OUR KNOWLEGE) NEHBERGSAID THE JUDGE IGNORED THIS BY SAYING SOMETHING TO THE EFFECT THAT THIS HAD NOTHING TO DO WITH THE CASE BEING TRIED. THIS IS THE SAME REACTION CID
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OFFICER HAD PREDICTED AS REPORTED REFTEL. THIS WAS ONLY

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POINT AT WHICH H&A CASE MENTIONED. NEHBERG WAS THEN TOLD
HIS PRESENCE NO LONGER NEEDED AT TRIAL.

2. CONSUL TALKED WITH NEHBERG AT SOME LENGTH ABOUT BOTH
CASES. NEHBERG SAID FRANKLY THAT THEIR SITUATION COULD
VERY EASILY HAVE TURNED OUT LIKE THE DISAPPEARANCE OF H&A.
IF HE AND THE OTHER SURVIVOR HAD ALSO BEEN KILLED LEAVING
NO WITNESSES, HE IS CERTAIN THE BODIES OF ALL THREE WOULD
NEVER HAVE BEEN FOUND AND THE NATIVES WOULD HAVE MADE SURE
THAT NO TRACE OF THEIR PRESENCE IN THE GORGE WAS LEFT.
HE FEELS THAT THE DEFENDENT IN THE TRIAL WAS PROBABLY
PLANNING TO DISPOSE OF THE STOLEN GOODS AS SOON AS POSSIBLE
AND THAT IT WAS PURE CHANCE (AND HIS BAD LUCK) THAT HE WAS
CAUGHT WITH THEM IN HIS POSSESSION. ACCORDING
TO NEHBERG, THE DEFENDENT WAS TOTALLY IMPASSIVE AND
DID NOT SAY A WORD. EVEN AT THAT POINT WHEN
NEHBERG WAS UNABLE TO IDENTIFY HIM AS THE MURDERER, WHEN
ONE WOULD NORMALLY EXPECT TO SEE AND EXPRESSION
OF GREAT RELIEF AT HAVING BEEN SAVED FROM THE GALLOWS,
THE DEFENDENT SHOWED NO REACTION WHATSOEVER. WHEN
QUESTIONED BY CONSUL, NEHBERG SAID THAT CONSIDERING THE
DEFENENT'S UNEMOTIONAL ACCEPTANCE OF HIS PREDICAMENT, HE DID
NOT BELIEVE THERE WAS ANYTHING WHICH COULD INDUCE THE
MAN TO REVEAL INFORMATION ABOUT H&A EVEN IF HE WAS
AWARE OF THEIR FATE. IF INCRIMINATING EVIDENCE WERE
DISCOVERED PROVIDING SUSPECTS IN THE MEN'S DISAPPEARANCE,
IT IS HOPED THAT THE TRUTH OF THE LATTER'S FATE WOULD
FINALLY BE LEARNED. UNFORTUNATELY, NEHBERG WAS NOT
OPTIMISTIC ABOUT THE DISCOVERY OF EVIDENCE IN THE MEN'S
CASE AS HE FEELS THE NATIVES ARE MUCH TOO CLEVER NOW TO BE
CAUGHT AS THEIR HAPLESS FRIEND WAS.

3. NEHBERG WAS SHOWN COPY OF DEC 31 LETTER WHICH WE HAVE
BUT HE COULD NOT BE SURE IT WAS SAME ONE GIVEN TO HIM AND
COMPANIONS AT MOTA BRIDGE. HIS FRIEND HAD ACTUALLY TAKEN
THE LETTER AND READ IT ALOUD BUT NEHBERG WAS NOT LISTENING
WITH FULL CONCENTRATION. HE HAS NOW LEFT FOR
MOTA AND SAID HE WOULD TRY TO GET TO THE BRIDGE
AND SEE IF HE CAN FIND ANY ADDITIONAL CORRESPONDENCE
FROM H&A. HE WILL LET US KNOW ON HIS RETURN.
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4. DUE TO LACK OF RESPONSE TO OUR MANY REQUESTS TO FONOFF FOR
A REPORT OF POLICE INVESTIGATION INTO DISAPPEARANCE, EMB HAS
SENT LETTER TO MIN INTERIOR COL LEGESSE WOLDE-MARIAM
REQUESTING HIS PERSONAL ATTENTION TO MATTER.
HUMMEL

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